



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF
THE CITY CLERK

April 11, 1985

Honorable Kevin W. Fitzgerald
House Chairman
Joint Committee on Housing & Urban Development
The State House
Room 38
Boston, Massachusetts 02133

Dear Representative Fitzgerald:

Pursuant to the request of the Cambridge City Council, I am forwarding to you and through you, to the members of the Committee, the enclosed resolution adopted by the Council at its meeting of April 8, 1985. Said resolution expressing the Council's strong opposition to S. 2142 relative to the regulation of condominium conversion of rent-controlled apartments.

Your very kind attention in this matter will be greatly appreciated by the City Council.

Sincerely yours,

Joseph E. Connarton

Joseph E. Connarton
Deputy City Clerk.

JEC/mh

Enclosure: Calendar Item No. 17 of 4/8/85

cc: Senators Michael LoPresti & George Bachrach
Representatives Charles Flaherty, Sandra Graham
& Peter Vellucci



City of Cambridge

CALENDAR ITEM NO. 17

~~17~~

IN CITY COUNCIL

~~April 7, 1985~~

April 8, 1985

COUNCILLOR D. SULLIVAN
COUNCILLOR GRAHAM

WHEREAS:

The worsening housing emergency in Cambridge continues to require strict regulation of condominium conversions of rent controlled apartments, in order to protect a sufficient supply of decent, affordable rent housing accommodations especially for families of low and moderate income and for elderly people on fixed incomes; and

WHEREAS:

The Cambridge City Council has strictly regulated such condominium conversions for nearly six years by an ordinance which this City Council has repeatedly refused to weaken, and which every court to consider it, including the United States Supreme Court, has uniformly upheld in all respects; and

WHEREAS:

Real estate speculators and others who would stand to reap immense financial gain if this ordinance were defeated, consistently thwarted in their innumerable attempts to defeat the ordinance in the City Council, the Rent Control Board, and the courts, have now resorted to the General Court by introducing Senate Bill No. 2142; and

WHEREAS:

S. 2142 would allow unrestricted condominium conversion of all 17,000 rent controlled apartments in Cambridge once the existing tenants move out, would thus create powerful economic incentives to force such tenants to leave by legal or illegal means, and would devastate the Cambridge rental market in a very short time; and

WHEREAS:

By seeking to destroy local protections which Cambridge citizens have repeatedly voted to retain, S. 2142 constitutes an unprecedented attack on local, democratic decision-making and the traditions of home rule; and

WHEREAS:

S. 2142 would also destroy similar protections against condominium conversions in Somerville and Brookline, and in any other Massachusetts community which votes or has voted to implement them, and thus also constitutes an assault on an important provision of the statewide condominium conversion law, Chapter 527 of 1983; and

WHEREAS:

S. 2142 was introduced and had its public hearing on March 27, without any consultation with, or notice to, the City of Cambridge or this City Council, in blatant disregard of minimal legislative courtesy; therefore, be it

RESOLVED:

That the Cambridge City Council strongly condemns S. 2142 as an outright attack on tens of thousands of low and moderate income and elderly tenants in Cambridge and elsewhere, on the future of Cambridge as a city where such tenants can afford to live, and on the principles of local, democratic decision-making and home rule; and be it further

RESOLVED:

That the Cambridge City Council calls on the General Court to defeat S. 2142 as soon as possible, in order to free tenants in Cambridge and elsewhere from this threat to their welfare; and be it further

RESOLVED:

That the City Clerk immediately send copies of this resolution to all members of the Cambridge delegation to the General Court, and to all members of the Joint Committee on Housing and Urban Development.

In City Council April 8, 1985.

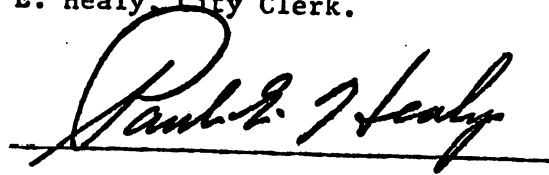
Adopted by a ye and nay vote:-

Yeas 5; Nays 4; Absent 0.

Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-



Paul E. Healy, City Clerk.

SENATE No. 2142

By Mr. LoPresti, a petition of Michael LoPresti, Jr., for legislation relative to the purchase and ownership of a home. Housing and Urban Development.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-five.

AN ACT RELATIVE TO THE PURCHASE AND OWNERSHIP OF A HOME.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

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18 health requirements.

State Senator
The State House
Room 213A
Boston, MA 02133

The Honorable George Bachrach
State Senator
The State House
Room 518
Boston, MA 02133

The Honorable Charles Flaherty
House Majority Leader
The State House
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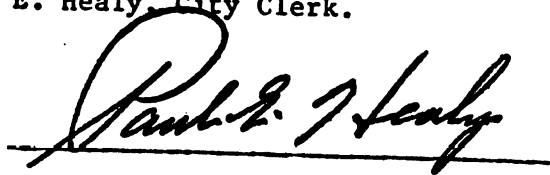
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That the City Clerk immediately send copies of this resolution to all members of the Cambridge delegation to the General Court, and to all members of the Joint Committee on Housing and Urban Development.

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Yeas 5; Nays 4; Absent 0.
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A true copy;

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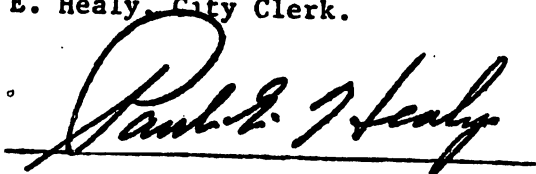
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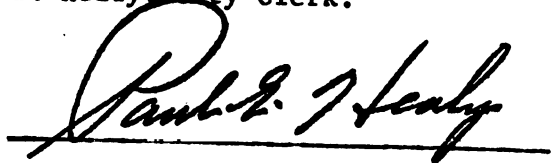
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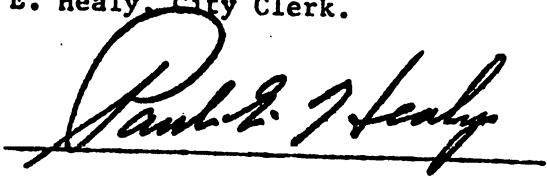
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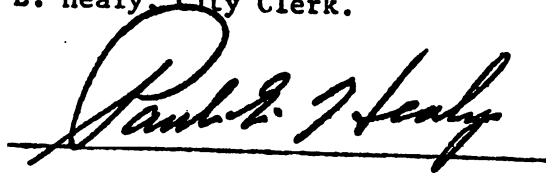
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In the Year One Thousand Nine Hundred and Eighty-five.

AN ACT RELATIVE TO THE PURCHASE AND OWNERSHIP OF A HOME.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 184 of the General Laws is hereby amended by add-
2 ing the following sections: —

3 *Section 35.* As used in section thirty-six, the word "Home"
4 shall mean a housing accommodation in a house or apartment
5 building, which an owner or the family of an owner intends,
6 in good faith, to occupy.

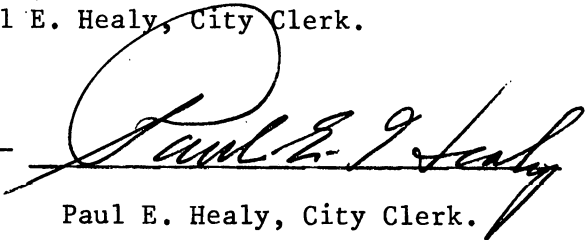
7 *Section 36.* No law, regulation or ordinance shall be construed
8 to prohibit an owner or prospective owner of a home from buy-
9 ing or occupying a home, providing for a home to be occupied
10 by a member of the owner's or prospective owner's family,
11 keeping a home vacant for future occupancy by such owner
12 or family, or remodeling a home for such purchase or occupan-
13 cy; provided, however, that the term of a lease or tenancy at
14 will is not being invalidated; provided further, that in the case
15 of conversion of a building by its owner into condominiums or
16 apartments no tenant is being evicted; and, provided further,
17 that any such remodeling conforms to building, zoning and
18 health requirements.

- WHEREAS: S. 2142 was introduced and had its public hearing on March 27, without any consultation with, or notice to, the City of Cambridge or this City Council, in blatant disregard of minimal legislative courtesy; therefore, be it
- RESOLVED: That the Cambridge City Council strongly condemns S. 2142 as an outright attack on tens of thousands of low and moderate income and elderly tenants in Cambridge and elsewhere, on the future of Cambridge as a city where such tenants can afford to live, and on the principles of local, democratic decision-making and home rule; and be it further
- RESOLVED: That the Cambridge City Council calls on the General Court to defeat S. 2142 as soon as possible, in order to free tenants in Cambridge and elsewhere from this threat to their welfare; and be it further
- RESOLVED: That the City Clerk immediately send copies of this resolution to all members of the Cambridge delegation to the General Court, and to all members of the Joint Committee on Housing and Urban Development.

In City Council April 8, 1985.
Adopted by a ye and nay vote:-
Yeas 5; Nays 4; Absent 0.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-


Paul E. Healy, City Clerk.

Ordinance #117
Shorelight
City of Cambridge

MASSACHUSETTS

In City Council *April 8,* 1985

Order moved by Councillor David Sullivan

	YEA	NAY	ABSENT	PRESENT
Mr. Daniel J. Clinton		✓		
Mr. Thomas W. Danahy		✓		
Mr. Francis H. Duehay	✓			
Ms. Sandra Graham	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan		✓		
Mr. Alfred Vellucci	✓			
Ms. Alice K. Wolf	✓			
Mayor Russell		✓		

5 4 0

- Order Adopted -



City of Cambridge

17.

IN CITY COUNCIL

April 1, 1985

COUNCILLOR D. SULLIVAN
COUNCILLOR GRAHAM

WHEREAS:

The worsening housing emergency in Cambridge continues to require strict regulation of condominium conversions of rent controlled apartments, in order to protect a sufficient supply of decent, affordable rent housing accommodations especially for families of low and moderate income and for elderly people on fixed incomes; and

WHEREAS:

The Cambridge City Council has strictly regulated such condominium conversions for nearly six years by an ordinance which this City Council has repeatedly refused to weaken, and which every court to consider it, including the United States Supreme Court, has uniformly upheld in all respects; and

WHEREAS:

Real estate speculators and others who would stand to reap immense financial gain if this ordinance were defeated, consistently thwarted in their innumerable attempts to defeat the ordinance in the City Council, the Rent Control Board, and the courts, have now resorted to the General Court by introducing Senate Bill No. 2142; and

WHEREAS:

S. 2142 would allow unrestricted condominium conversion of all 17,000 rent controlled apartments in Cambridge once the existing tenants move out, would thus create powerful economic incentives to force such tenants to leave by legal or illegal means, and would devastate the Cambridge rental market in a very short time; and

WHEREAS:

By seeking to destroy local protections which Cambridge citizens have repeatedly voted to retain, S. 2142 constitutes an unprecedented attack on local, democratic decision-making and the traditions of home rule; and

WHEREAS:

S. 2142 would also destroy similar protections against condominium conversions in Somerville and Brookline, and in any other Massachusetts community which votes or has voted to implement them, and thus also constitutes an assault on an important provision of the statewide condominium conversion law, Chapter 527 of 1983; and

- WHEREAS: S. 2142 was introduced and had its public hearing on March 27, without any consultation with, or notice to, the City of Cambridge or this City Council, in blatant disregard of minimal legislative courtesy; therefore, be it
- RESOLVED: That the Cambridge City Council strongly condemns S. 2142 as an outright attack on tens of thousands of low and moderate income and elderly tenants in Cambridge and elsewhere, on the future of Cambridge as a city where such tenants can afford to live, and on the principles of local, democratic decision-making and home rule; and be it further
- RESOLVED: That the Cambridge City Council calls on the General Court to defeat S. 2142 as soon as possible, in order to free tenants in Cambridge and elsewhere from this threat to their welfare; and be it further
- RESOLVED: That the City Clerk immediately send copies of this resolution to all members of the Cambridge delegation to the General Court, and to all members of the Joint Committee on Housing and Urban Development.

SENATE No. 2142

By Mr. LoPresti, a petition of Michael LoPresti, Jr., for legislation relative to the purchase and ownership of a home. Housing and Urban Development.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-five.

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- 10 by a member of the owner's or prospective owner's family,
- 11 keeping a home vacant for future occupancy by such owner
- 12 or family, or remodeling a home for such purchase or occupan-
- 13 cy; provided, however, that the term of a lease or tenancy at
- 14 will is not being invalidated; provided further, that in the case
- 15 of conversion of a building by its owner into condominiums or
- 16 apartments no tenant is being evicted; and, provided further,
- 17 that any such remodeling conforms to building, zoning and
- 18 health requirements.

Order # 17 S-273

C.D. Sullivan & C. Graham re: resolutions calling upon the Great & General Court to defeat S. 2142, which would allow unrestricted condominium conversion of all rent-controlled units in Cambridge once existing tenants move out.

*Calendar Item
For 4/8/85*

*4/1/85
Charter
Right*

By C.D. Sullivan

In City Council,

April 1, 1985

*4/8/85
4/1/85 transmittal letter copies of orders sent to
Rep Kevin Fitzgerald, Chair, Joint Committee on Housing
& Urban Development + Cambridge
delegation at State House. (Copy
within memo)*

*CD
CF*

4/8/1985

Order Adopted

5-4-0

Motion of C.D. Sullivan -